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*FIRM and AFFILIATE OFFICES*

EVE I. KLEIN  
DIRECT DIAL: +1 212 692 1065  
PERSONAL FAX: +1 212 202 7559  
E-MAIL: [eiklein@duanemorris.com](mailto:eiklein@duanemorris.com)

[www.duanemorris.com](http://www.duanemorris.com)

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December 11, 2014

**VIA ECF**

The Honorable Ronald L. Ellis  
United States District Court  
Southern District of New York  
500 Pearl St.  
New York, NY 10007-1312

**Re: Dedra De La Rosa v. BTM Development Partners, LLC and Related Management Co., L.P., Docket No. 14-cv-2444(SHS)(RLE)**

Dear Judge Ellis:

We represent Defendants BTM Development Partners, LLC and Related Management Co., L.P. (collectively “Defendants”) in the above-referenced matter. This letter supplements Defendants’ November 24, 2014 submission to Your Honor and advises the Court of Plaintiff’s refusal to confer with Defendants to discuss the possibility of settlement before the December 12, 2014 conference with the Court, as directed by Your Honor on the November 13, 2014 telephone conference.

Plaintiff has refused Defendants’ repeated requests for a meeting or conference to discuss resolution of this matter and despite the Court’s direction, has completely ignored Defendants’ ten (10) requests for a telephone conference following the November 13, 2014 telephone conference. The below chart summarizes Defendants’ counsel’s efforts to confer with Plaintiff’s counsel to discuss whether Plaintiff agrees to the proposed modifications in Defendants’ response to Plaintiff’s expert report and whether Plaintiff agrees to exchange the parties’ submissions that were due to the Court on November 24, 2014.

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<b>Date</b>	<b>Efforts Made by Defense Counsel Klein and Ruden</b>	<b>Responses by Plaintiff's Counsel Parker and Hanski</b>
11/13/14	Immediately following the telephone conference with the Court, Klein and Ruden attempt to call Parker and then leave Parker a voicemail.	Although Parker was obviously in the office, Parker did not pick up the call or respond to the voicemail.
11/18/14	Ruden emails Parker and Hanski requesting a telephone conference to establish where the parties are in agreement and disagreement on modifications prior to the parties' 11/24/14 submissions to the Court.	Parker responds on 11/20/14 stating he is busy and will not be able to talk until 11/24/14.
11/20/14	Klein responds to Parker's email and requests a telephone conference with Hanski due to Parker's unavailability and because the parties' submissions are due 11/24/14.	No response and Parker does not call on 11/24/14 as he stated he would in his 11/20/14 email.
11/24/14	Ruden emails Parker and Hanski and states Defendants will copy Plaintiff on its submission to the Court.	No response. Your Honor's clerk informs Defendants that Plaintiff filed its submission without copying Defendants so Defendants file its submission without copying Plaintiff.
11/25/14	Ruden calls Parker and leaves message.	No response.
11/25/14	Klein emails Parker and Hanski.	No response.
12/2/14	Klein emails Parker and Hanski.	Parker responds "Please contact Adam Hanski about this" even though Hanski was copied on all emails.
12/2/14	Klein emails Parker and Hanski.	No response
12/5/14	Ruden emails Parker and Hanski.	No response.
12/8/14	Ruden emails Parker and Hanski.	No response.
12/9/14	Ruden emails Parker and Hanski.	No response.

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Plaintiff's blatant and continued failure to respond to Defendants' multiple efforts to discuss resolution indicates that Plaintiff's real motive is to run up attorneys' fees and costs. Defendants provide this update prior to the December 12, 2014 telephone conference with the Court so that the Court is aware of Plaintiff's recent tactics and failure to follow the Court's directive to confer with opposing counsel prior to the December 12, 2014 telephone conference.

Respectfully,



Eve I. Klein

EIK/jb

cc: Glen H. Parker, Esq. (via ECF)